

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BENJAMIN NAZMIYAL, RACHEL
GREENBERG, MICHAEL E. CRANE,
WRISTWATCH CAFÉ LLC, and KOSHER
FOOD CONNECTION LLC,

Appellants,

-against-

TREASURES AND GEMS LTD.,

Appellee.

25-cv-1047 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

1739 2nd Avenue Partners LLC seeks to intervene in this appeal. *See* Dkt. 16. Though 1739's motion is untimely, *see* Dkt. 17 at 4 n.1, the Court finds that 1739's delay was the result of excusable neglect. *See* Fed. R. Bankr. P. 9006(b)(1). As 1739 points out, it wasn't clear that this appeal was still live after this Court denied appellants' motion for a stay. *See* Dkt. 13 (asking the parties to advise the Court as to whether any live dispute between the parties remains).

1739 has also demonstrated sufficient grounds for intervention. 1739 purchased real property pursuant to a sale the Bankruptcy Court authorized. *See* Dkt. 17 at 2. On appeal, appellants contest the propriety of that sale. *See* Dkt. 10-7 at 2 (statement of issues on appeal). And neither appellants nor appellee have filed an opposition to 1739's motion.

Accordingly, 1739's motion to intervene is GRANTED. 1739 shall file any response to appellee's motion to dismiss by **Monday, March 31, 2025**. The Clerk of Court is directed to terminate the motion at Dkt. 16.

SO ORDERED.

Dated: March 24, 2025

New York, New York



ARUN SUBRAMANIAN
United States District Judge